

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA

Docket No. 5:10-CV-583

Aaron Buckner, Allison Butler, Jack Clifford
Elliot, Chad Goudy, Joshua O'Dell, and Amy
Rullis,

Plaintiffs,

vs.

North Carolina Culinary Ventures, LLC d/b/a/
An New World Cuisine Restaurant and Michael
Chuong,

Defendants.

**APPROVAL OF SETTLEMENT OF FLSA CLAIMS AND APPROVAL OF
STIPULATED JUDGMENT**

The parties have moved the Court for Approval of Settlement of FLSA Claims and Approval of Stipulated Judgment, and the Court finds the following facts:

1. Plaintiffs filed their Complaint in the Wake County Superior Court on November 23, 2010. Defendants removed the case to the this Court on December 22, 2010 and obtained extensions of time to answer until February 11, 2011. The parties conducted a voluntary mediation on January 17 and 18, 2011. At the mediation, the parties agreed on a settlement of Plaintiffs' claims under the FLSA, and now seek the Court's approval of that settlement.
2. The parties agreed to settle Plaintiffs' Fair Labor Standards Act ("FLSA") claims for \$20,000.00.
3. The parties have urged the Court to ratify this settlement because Plaintiffs' claims were vigorously contested by Defendants, the facts are disputed, the parties were represented by competent counsel who concluded in consultation with their clients that this was a fair compromise of Plaintiffs' claims, and the compromise was reached through a lengthy, 14

hour mediation conducted by an experienced mediator. Underlying counsel have represented to the Court that this is a fair compromise in light of the probability of Plaintiffs' success and the amount of potential recovery.

ON THE FOREGOING FINDINGS OF FACT, THE COURT CONCLUDES AS A MATTER OF LAW, THAT THE SETTLEMENT REACHED BETWEEN THE PARTIES IS FAIR, AND THE SETTLEMENT OF ALL PLAINTIFFS' CLAIMS BROUGHT PURSUANT TO THE FLSA IS APPROVED.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED THAT:

1. Judgment is entered against North Carolina Culinary Ventures, LLC d/b/a/ An New World Cuisine Restaurant in the amount of Twenty Thousand Dollars (\$20,000.00) in full and final settlement of all FLSA claims for both back wages and liquidated damages, and an attorneys' fee of Six Thousand Six Hundred Dollars (\$6,600.00) shall be paid to Plaintiffs' counsel. The \$20,000.00 paid to Plaintiffs shall be allocated between the Plaintiffs as follows:

Amy Rullis	Six Thousand Four Hundred Dollars (\$6,400.00)
Jack Clifford Elliott	Five Thousand Dollars (\$5,000.00)
Chad Goudy	Three Thousand Two Hundred Dollars (\$3,200.00)
Joshua O'Dell	Two Thousand Four Hundred Dollars (\$2,400.00)
Aaron Buckner	Two Thousand Dollars (\$2,000.00)
Allison Butler	One Thousand Dollars (\$1,000.00)

This the 9 day of February 2011.


U.S. District Court Judge